1 Supreme Court, U.S.
FILED

06-809 JUL 11 2006

OFFICE OF THE CLERK

NO:_____

IN THE

SUPREME COURT OF THE UNITED STATES

Petitioner Joyce Patterson-Beggs

Vs.

Respondent Linda Batchelor Smith Clerk of Court

On Petition From the Hampton Circuit Court in

Hampton Virginia

Writ of Mandamus

From The Supreme Court of Virginia

Joyce Patterson-Beggs 312

South Willard Ave.

Hampton, Virginia 23663

757-265-7784

Questions Presented

Whether the Clerk of Court of a Small Democrat dominated Town, deprive a Black Republican of her Civil Right's, Due Process of Laws, Fundamental Fairness, Right's to a fair Appeal Process, by Continuous/ Intentional Discrimination/Unconstitutional Acts pursuant to U.S.C. 28 Part IV Chapter 85 1343 Civil rights and elective franchise mislead to Lower Court under Article III.

Whether Clerks of Court who serves as Constitutional Officers in the State of Virginia be required to be register with the Virginia State Bar to Safe Guard Constitutional Right's of all classes of Citizens Under Article III and/ or Appointed Virginia Government.

Whether Black on Black Willful Disparagement of Criminal Activities & Willful Discrimination against Black Republicans Constitute a Constitutional Crisis of deprivation of Fundamental Right's in the Black Communities under the Ninth Amendment of the United States Constitution by Classificationaal Discrimination by one's owns Ethnic Group.

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BEST AVAILABLE COPY

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List of Indispensable Parties

1. A list of these indispensable Parties are very necessary parties in understanding the mischief and willful misconduct of the on-going affirmative misconducts byway of Ghost Writing Conspiracy during ten years of Civil Litigation involving the Clerk of Court Office during Respondent Linda Batchelor Smith Tenure to the Proceeding in theses Complex Cases maturing from the Same Cause of Action, pending in the Hampton Circuit Court for almost Ten years as Following:

2. Kathy Gear Owens, Former Substitute Judge of the Hampton Circuit Court, while serving as a Defense Attorney for Defendant(s) John Pane, and were publicly involved in the Election and Campaign of Linda Batchelor Smith to the Clerk of Court to regain her employment to the Clerk Office after being fired by former Clerk of Court. Also a Closing Attorney for Allied Broker Inc. & Defense Attorney for John Pane. Hereinby denies Representation of Allied Broker's Inc. & Conflict of Interest, before the Bar of the Lower Court. The Sister of Former Hampton City Councilman Thomas Gear a Former

Democrat, From the Phoebus section of Hampton Virginia, herein as "Gear Owens"

3. Del, Thomas D. Gear, Former-Hampton City Councilman. A former member of Daily Press local forum website by the Daily Press News Paper as "Tom". A friend of the said Respondent, and involved in her election to regain her employment to the Lower Court Clerk Office. Involved with the Unsuccessful Attempts in the Virginia General Assemble to Un-Bench the Hon. Judge Williams Andrew III from Said Lower Court. The Brother of Kathy Gear Owens, whom Campaigned Contributions Come from Defendants such as John Pane and Attorneys such as Stephen F. (Hobie) Andrews of VANDEVENTER BLACK LLP who block the Petitioner's Properly served Subpoena Duces tecum, filed properly by Deputy Clerk through mutatis mutandis, James Fullen of State Farm, the Petitioner Expert Witness & Hired Appraiser of her home in 1995 Gary Powell, And the only one who can Identify other Necessary Parties of Local Website Forums involved in Complex Cases to include

[Web Name Gammler, Mr. & Mrs. Reuter, 000Zack , Jon1003, FoodMrg, with plots to destroy the life of the Petitioner, and Plots to Destroy & Remove local Judges and City Officials by Professional Intimidations of his followers and supporters such as Susan Mitchell Said Respondent Campaign Manger]
hereby as" (Gear)

4. Richard W. Zhan Jr. Former Attorney of Taylor & Walker, P.C., Former Defenses Attorney for Home Paramount Pest Control Inc. Who continue to represent Home Paramount Pest Control Company Inc before the Lower Court, and benefited from Said Respondent Discrimination and willful Abuse of Process " hereby as" (Zhan).

5. Brian D. Lytle, The Defense Attorney of only Realtors Ann Pane, Carolyn Robinson, & Shirley Mara, who have attempted to end his Participations in this pattern of Continuous ghostly Conspiracy as facts proves his clients Trusted Allied Broker Inc & John Pane, Home Paramount Pest Control Company to make proper Structural Repairs the Petitioner Home and secure proper permits from the

city of Hampton under the Mayor of Hampton Mr. Jimmy Easton on behalf of the Seller a "Senior Citizens"; by sending a letter to Respondent Linda Batchelor Smith the Clerk of Court Complaining his staff was use to set forth Praecipe, during the Jurisdiction of this United States Supreme Court. " hereby as" (Lytle)

6. John Pane, Owner of d/b/a Panco Service, a diversified part of Allied Broker Inc. "hereby as" (John Pane)

7. Allied Broker's Inc. owner John Pane "hereby as" (Allied)

8. State Farm General Insurance Inc., Insurance Company of both the Petitioner & Allied Broker Inc. & Realtors John Pane as Panco Service Company, throughinby agent James Fullen of the Phoebus section of Hampton Virginia from November 17, 1995 to 1998 & Allied Broker's Inc. Who interfered with the petition First Attorney in a investigation in bad faith to avoid "The Equal Share Clause, and Liability to the Petitioner's second Son Injuries who were injured by John W. Pane

d/b/a Panco Service Co unworkman like Construction in the Garage area of the Petitioner Home, who benefited from the Willful Discrimination by the Respondent Clerk Office, Computer Fraud and Abuses of Process.

9. Home Paramount Pest Control Company Inc. & Corporate Council Pilar Gracia "Hereby" as (Home Paramount)

10. Judges of Hampton Circuit Court involvement in Complex Cases, " hereby as" (Lower Court)

11 Susan Mitchell; Former Member of the Daily Press Forum and other local forums member using the Names as Suebee (SUEBEE86) included in the Ghost witting Evidence 42-48 in Appendix [Noting the Web Members Garbageo Hamptonvoter, Laidback11, are not connect to said pending case]. Susan Mitchell were the Campaign Manager of Respondent Linda Batchelor Smith, also involved in Del Thomas Gear Campaign as he Crossed over the Petitioner's Republican Party, running for Delicate as a Republican in the Virginia General Assembly, covering the Phoebus Section of Hampton Virginia. Mitchell were also involved in threatening the Petitioner over local

websites with-other Supporters of [Del Tom Gear and Linda Batchelor Smith] during her election campaign and posting false Statements, of Lower Court Judges, and former Clerk of the Hampton Circuit Court and involved with the Unsuccessful Attempts to Un-Bench Hon. Judge Williams Andrew III in the Virginia General Assemble. Mitchell is also a Client of Kathy Gear Owens.

13. Mr. James Gallaragher: the Petitioner and her Infant First Attorney of Record who helped Separate Said Complex Cases, with Friendship to the Petitioner's Neighbors, whom are supporter of the Gear Family in the Phoebus section of Hampton Virginia. A Friend of Richard w. Zahn, as Respondent Linda Batchelor Smith Continued to send case information to his office, knowingly said Attorney Withdrawal in 1999, from Complex Cases. Especially under Respondent tenure as Deputy Clerk, who destroyed Petitioner's Complaints of Defense Attorneys & Defendants interferences with her First Attorney. Denying Judge Walter J. Ford the discretional powers to investigate Obstruction of Justice by Home Paramount,

false an incomplete Contract before the Court to separate themselves from the main case under false pretends.

than adding Sub-contractors. While this same Judge were handling litigation of John Pane Devoice and his Company "Allied Broker's Inc." being Represented by Attorney Kathy Gear Owens, as she was Substitute Judge during this time in the Lower Court.

OPINIONS BELOW

The opinions of the Highest State Court to review that Last Separate Cases arising From the Same Cause of Action were (Virginia Supreme Court) reviewing case Record No: 052475 where based on the Merits and Facts, in the Petitioner's Writ of Mandamus appearing in Appendix A, and is unpublished along Ghost Writing Evidence A 1-71, Ghost Writing Evidence B First Draft of Writ of Certiorari to the United States Supreme Court in 2004, Ghost Writing Evidence C Petitioner's Deposition November 24,1999 The Opinions of the Virginia Supreme Court Appears in Appendix B to the Petition and is Unpublished.

Jurisdiction

The date on which the highest State Court, being the, Virginia Supreme Court in Record No: 052475 decided my case involving the Last Separated Case pending in the Hampton Circuit Court were March 7, 2006 A timely petition for rehearing was filed on March 22, 2006 was thereafter denied June 16, 2006 and a Copy of the rehearing Appears in Apendix C and order denying Rehearing Appears in Appendix D.

The Jurisdiction of this court is invoked under 28 U.S.C 1257 & 28 U.S.C. Part IV Chapter 85 1343 Civil Right Violations

Constitutional and Statutory Provisions Involved

1. Article III

2. Due Process of Law under the Fourteen Amendments

3. Ninth Amendment –The enumeration in the Constitution, of certain Rights, shall not be construed to deny or disparage by the People

4. Unusual Treatment of the Eight Amendment

5. Virginia Constitution Article 1

Section 1. Equality and rights of men.

That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

IN THE
SUPREME COURT OF THE UNITED STATES

Joyce Patterson-Beggs

Vs.

Linda Batchelor Smith Clerk of Court

On Petition From the Hampton Circuit Court

Writ of Mandamus

Comes now the Petitioner Joyce Patterson-Beggs to moves this court to issue a Writ of Mandamus to Respondent Linda Batchelor Smith, Clerk of Court, Former Deputy Clerk: A Black Democrat from Hampton Virginia for Violating her Civil Right's, Due process of law because of her political affiliation as a Black Republican which injured the Petitioner and her Infants by Reversing all Judgments Against her, by undoing all Unconstitutional Acts Made against the Petitioner for 10 years of Civil Ligation Citing Beggs V. Allied Broker's Inc. 02 6207 U.S. (2002) Beggs V. Home Paramount 02-5307 U.S.(2002) and posting her Notice of Appeal as Late in case Beggs V. Allied Broker's Inc. et al U S. 04M26 (2004). showing forth a Patterning of the Following:

a. Continuation of Unconstitutional acts against the

Petitioner, cited in this Writ of Mandamus, in Misleading the Lower Court by Conspiracy of Fraud though Ghosting Writing and Voiding the Petitioner liberties by willful discrimination.

Said Respondent Actions and Willful Activities to mislead the Lower Court, brought about Manifest Constitutional Violations, giving this Supreme Court the Judiciary Powers to mandating the lower Court to reverse it's Judgments and Sanctions, against the Petitioner, due to the unseen hands of said Respondent, for many of years, of Unethical Behaviors, Civil Right's Violations, Violations under the Ninth Amendment of the U. S.. Constitution. Will emancipate Black Republicans who suffers discrimination, by member's of their own race because of their beliefs, Citing The trial of Willams Penn, and Prohibit Said Respondent Unconstitutional Violations against Black Republicans and Classes of people who find themselves in a Minority of the Petitioner Appellate Jurisdiction to, include Pro 'se Litigants,

b. to mover this Court for Civil Sanctions against Said Defence Attorney Kathy Gear Owens & Her Brother Thomas Gear For Conflict of Interest and Unethical Violations to restore the Neighboring Principle to the Phoebus Section of Hampton

Virginia for their participation in Ghost Writing Conspiracy to Mislead the Lower Court., and to protect the Rule of Law. which caused unnecessary hardship suffered by Petitioner and her infants who also live in the Phoebus Section of Hampton Virginia. along with Said Attorney as this Court finds action against the Federal Rules of Professional Conduct.

c. mandating said Respondent to discontinue Malicious Fruadulent Conspiracy to mislead the Court of Public Justice . Citing Conlet V. Gibson 355 U.S. 41, 45-46 1957 Dioguardi V. Durning, 139 F.2d 774 (CA 1944) Civil Rights Act Status 13, 42 United States Code 1983. Causing Severe Violation under the Rules of Civil Procedure, Activities under Criminal Procedure , with the Respondent Playing a Major Roll under the Wharton's Rule, with Said Indispensable Parties, in Ghost Witting Conspiracy pursuant to U.S.C. 28 Part IV Chapter 85 1343 Civil rights and elective franchise.

2. The Petitioner's Writ of Mandamus clearly stated causes of actions to the best of her ability citing, Haines V. Kerner, 404, U.S.519 (1972).

3. The Petitioner realizes typo mistakes in her Writ before the Virginia Supreme Court, with the wrong Date of June 30,

2005 as to the Date she Motion the lower Court of the reinstatement Defendant John Pane.

4. The Pro se suffer from Complex Dyslexia, and tried to the best of her ability to limit mistakes in her communications At Bar, in explaining the Factual Events in her Writing and her Research [noting that a Writ of Mandamus is best on the grounds that the Petitioner has an adequate remedy at law, thus, Mandamus would not lie]. The Petitioner notes that our First Republican President of the United States of America Abraham Lincoln suffered from dyslexia as well, pointed out by her Ninth Grade Science Teacher.

5. The Pro'se Litigant has corrected her mistake in the fashion used by President Abraham Lincoln as shown in his Legal Documents hanging in the Lincoln Memorial in Washing D. C., by correcting her mistake in the same fashion.

6. Hereinby, putting forth the Corrected date of April 30, 2005 of her Motion to Reinstate John Pane back to Case At Bar 97-36817, pursuant to Lower Court Order December 8, 2004, of a trial set in the lower Court, in Direct Violation of the Jurisdiction of This United States Supreme Court.

7. The Petitioner Harmless Error, may be the reason the

Virginia Supreme Court Denied said Writ and examinations of Factual Evidence with Corrected dates Describing the Continuous willful Unconstitutional Violations of Activities by Said Respondent. Which Injuries the Petitioner as Pro'se and her Infants by deprivation of her Civil Right's and Due Process of Laws as a Black Republican.

Statement of Case

8. Linda Batchelor Smith Ghostly Conspiracy with Indispensable Parties created Manifest Constitutional Clerical Errors, Severe Violations of the Administrative Laws, design to give All citizens of the United States Due Process, Protections Under the Fourteen Amendment to present evidence under the Uniform Rules of Evidence, with out Civil Right's Violations, Obstruction of Justice, Computer Fraud to mislead the Court.

9. Respondent Linda Batchelor Smith had legal duties to govern her office under Article III of the United States Constitution to all "Classes of People" all citizens, as stated Very Clearly under the Bills of Right's under the Virginia and United States Constitutions to include Black Republicans as well.

10. Therefore Linda Batchelor Smith a Black Democrat from Hampton Virginia had a legal duty, to protect the

Petitioner Civil Right's and fundamental Fairness to due process. Even if Gear Owens, Gear, Defendant John Pane and other anonymous local Web site Indispensable Parties such as Mitchell, Smith's Campaign Manager and other's {Gammler} {Foodmgr} Gear's Web Supporter, helped to Restore her employment to the Clerk of Court Office.

11. Especially, with the Petitioner and her infants being deprived of her Civil Right's by a Black Democrat Linda Batchelor Smith, when both Black Republicans & Democrats benefited from the Civil Right Movement giving all Citizens in American Equality and Equal Justice under the Fourteen Amendment of the United States Constitution and Virginia Bill of Right's,. Loving V. Virginia 388 U.S. 1 1967

Argument

12. The Pro'se research of The Civil Rights Act in 1964 did not abandon equal right's For Non -White Republicans. Citing Richmond V. J. Corson Company 488 U. S. 469 (1989).

13. Respondent Linda Batchelor Smith had a legal duty to conduct the Daily Operations pursuant to Virginia Code, Virginia Constitution, The Administration Act, and Federal Rule of Civil Procedures, under Article III Of the United Constitution and to

prohibit Discriminations Act against the Pro'se Litigant, due to her Political Status as a Black Republican, nor deprive her of Due Process of Law in retaliations of her Political Affiliation, because the Petitioner approached the local Republican Party to find a Republican Candidate or any a good Citizen of Hampton to run for the Clerk office to insure Due Process for all Citizens after suffering for many years of Fraud on the Courts, in Joint offenses against Public Justice to mislead the Lower Court which completely abandoned the Petitioner Equal Rights,

14. In Citing Justice Harlam Citing Plessy 163 U.S. 537 1896 and Human Right's citing Dred Scott v. Sandford, 60 U.S. 393, (1856) and her Civil Right's Citing Brown v. The Board of Education. 347U.S. 483 (1954) by a member of her Own Black Race.

15. These Unconstitutional Acts By Respondent Linda Batchelor Smith, against a Black Republican shows forth a growing Critical Race Theory in some Black Communities of Unjustified Actions against Black Republicans because of their beliefs, and benefit thereof, falls in line with other famous cases like the "The Trail of William Penn. By " freely and

willingly involving themselves with said civil crimes to secure employment, receiving goods and services, and to gain financially for their participation in destroying the life's of Black Republicans, and their children as society look on, and not address the problems growing within the Black Communities.

16. Unlike, the peers of William Pen, who suffered with-out basic needs , with the lost of their freedom by avoiding to participate in Judicial Ghost Writing Conspiracy, with threats of finically destructions in their local communities, for their continuous refusal to Participate in conspiracy to deprive "William Penn" of a fair trial, because of the tribunal discrimination toward Pen's due to his political beliefs.

17. History shows 'Penn' being faced with an Arrest of Judgment, Civil Assault against his peers for not joining said Judiciary Ghost Writing, with an arbitrary decree contrary to the evidence or Rule of laws. With Violation of the Great Chapters of Magna Carta and the England Constitution by members of his own race in England because of his beliefs and his knowledge of his personal Liberties and the Rules of Laws by a Malicious Tribunal, serving under King Charles II, being freed

of Civil Arrest by a Habeas Corpus.

18 The Petitioner Research, shows History accredited Penn, Voyage to America to help Settlers and Englishman understand Equity, Fundamental Fairness, and the clear understanding of the Great Chapters of Magna Carta, The English Constitution, the Right's to Petition, and learning their Right's to Liberty and help settle Grant disputes involving Land in the States of New Jersey, being compensated for his injuries with a Grant of Pennsylvania.

19. The Pro'se Litigant Research of the 'Great Pro'se Litigant William Penn" and the Important Charter's of Magna Carta at the University of Kentucky Law School and by Studying with the Law Students of William & Mary Law School in Virginia research of our Great Chief Justice John Marshall of this great United States Supreme Court Finding Both Great Man contributions and Respect to personal Liberties, Due Process of laws and Magna Carta, and both highly respected their Constitution.

20 [For Penn the English Constitution, and Chief Justice Marshall, the United States Constitution], being a Supreme document of their Country, to prevent unconstitutional acts

like the "Petitioner as Prose has suffered during these complex civil cases, pending in the Lower Court for Ten years. Being victimized by a clerical misprision which mislead the lower court by willful and wanton misconduct.

21. Especial with our U. S. Constitution being echoed directly from Chapter 39 of Magna Carta and through-out Legal Statues and U. S. Codes. To include the Virginia Constitution and laws enacted by the Virginia General Assembly dating back to the 1619 by reading many decisions in Henny's Statues at large.

22. The Petitioner was impressed by our founding Father changes to the Volume 13 of the Henny's Statues at Large of Virginia, after the Signing of the U.S. Constitution, which clearly enacted Article Seven [In the year of Our Lord].

23 Making every Article of our United States Constitution, Enacted by our Great Founding Fathers and Framers of Our U. S. Constitution, putting forth Constitutionals Guarantee to personal Liberties and Amendments covering the Bills of Right's, should not be Abandon by any small towns by Ghostly Conspiracy to discrimination against Group of people or Classes of peoples because of their political affiliation, nor by any

Black Communities, who benefited as a whole Community under Act of Congress, especially the Civil Right's Act.

24. Therefore, Respondent Linda Batchelor Smith unconstitutionally, Abolish said Right's of the Petitioner, hereby Injured by ten years of Civil Litigation.

Exceptional Circumstances

25. The Manifest Constitutional Violations involving the Respondent Clerk Office during her tenure as Deputy Clerk and as the present Clerk of Court, shows Prima Fascia Important Under the Ninth Amendment of the United States Constitution, of the needs of this court to address the following:

a.. willful participations of individual who wants to discommon the Laws of the Commonwealth of Virginia because of her political affiliation. by said Respondent who serves as a Constitutional Officers with-out a Law degree, and whom is protected from Criminal Prosecution by Immunity, of Unconstitutional Acts against to Petitioner.

b.. By willfully destroying the Petitioner's Complaints to the Retired Judge in 1998, against Defence Attorney Interference, with Petitioner First Attorney of Record. While said retire Judge was handling John Pane Divorce , with Gear-

Owens serving as John Pane & Allied Broker'Inc. Attorney in the same Court room during these Complex Cases.

c. By Willful, Computer Fraud in voiding out the Petitioner's Proper Jurisdictional Rights, during many appeal processes involved in these complex cases and voiding out the Petitioner and her infant's Constitutional Right's.

d. Violating the Petitioner's Right's Under the 9th Amendment, enacted by one of Our U. S. Founding Father "Hon. Alexander Hamilton.". Who was also consider an outsider and Victimize by Political Ghostly Conspiracy, putting forth the Ninth Amemments to protect United States Citizens who finds themselves discriminated Against by seditious conspiracy tactics, Citing Matthew V. Eldride 424 U.S. 319, 96 S Ct. 893 (1976)

Therefore Said Conspriacy Could not be carried out, to undermind the Rule of Law, unless Said Respondent becomes a Major Player, under the Wharton's Rule of Conspiracy.

With-out Remedies at Laws

26. Only this court can address the malfeasance of the Hampton Circuit Court Clerk office, on behalf of Respondent Smith a Constitutional Officer of the Commonwealth of

Virginia, Unethical Behavior who is not a certified Attorney Under the Virginia State Bar, who infringed upon the guarantee Liberties of the Petitioner's and her infants, Constitutional Right's guaranteed under the Virginia and U. S. Constitution by holding the Clerk of Court responsible for said unnecessary injuries suffered.

27. The Petitioner' has exhausted all remedies by Complaints to laws enforcement, Virginia State Bar, Virginia Judiciary Committee, and The Virginia Supreme Court, leaving this Court as the only remedy to Address unconstitutional Violations under Article III to bring about Constitutional Safe Guards for all classes of People who Finds themselves Victimized by Fraudulent Activities of ghostwriting to mislead the Court, and Emancipation of Black Republicans from member of their Own race, by willful Discrimination .against them because of their Political Views.

28. The Petitioner is with-out legal remedies to address to the many years of Insurance Company legal departments and Defence Attorney's Unethical Behaviors of the Malicious Mis-uses of their Contingency fees used as a tool in said Ghost Witting Conspiracy, to benefit said Respondent and Indispensable

Parties,. Said unlawful Activities, can only be addressed by this Court with Civil Sanctions to protect the Rule of Law.

29. The Petitioner is with--out remedies to address her Ideals of Ending Fruadulent Activities to undermind the Court of Law to protect the Equal Justice under Law. and pray that This U. S. Supreme Court will be an aid to the Appellant Jurisdiction to bring about the needed Legal Reform of the Following:

a.. by putting forth safe guards of the Misuses of Defence Attorney Contingency fees for Civil Litigation, The Petitioner's Ideals willl be a 25% cap for Defense Attorney Administrations Uses, to settle Civil deputies, to bring about fundamental fairness and fair settlement. Along with a returns of 75% of said Civil Litigations fees paid to Defence Attorneys, if deputes are not settled, to Insurance Companies, or Defendants, will bring about an Abolishment of Ghost Writing Conspiracy to mislead the Court, contrary to the Evidence. by Conspirators Willful Participations.

30. Only this Court can Mandate the Petitioner's Appellate Jurisdiction to incorporate Constitutional Safe Guards to Prohibit All Ghost Writing and Phantom Pleading before the Court, to protect the Scale of Justice, and proper weight of all

factual Evidence by making major changes of qualification to Constitutional Officer, who serves as Clerk of Court, to Protect all Citizens Due Process Right, Civil, with Fundamental Fairness to Equal Justice Under Law, protect the Rule of Law.

31. By Mandating the lower Court to reverse Injustices suffered by said Respondent continuous Unseen Hands of Manifest Constitutionals Violations, and Grant Civil Sanctions against Unethical Conduct of said Attorneys Willful and Malicious participation in Ghost Writing Conspiracy to Mislead the Lower, Will give this Court Jurisdiction Authorities to address the miscarriages of Justice that will follow, if not Address by this Court.

32. If left to continue, will only negatively affect every area of our Country, to include Companies, Corporations, and Governmental Agency and Continue to underminding all Courts under Article III and Secretly Undermined our Democracy by Compacts of people who willingly to go beyond freedom of Speech, to destroyed classes of Citizens they hate. and Negatively affect all Citizen of our Great Republic by Voiding out the Liberties and Constitutional Safe Guards protected by "The "Hon. Alexander Hamilton " enactment of the Ninth

Amendment.

33. Partly addressed by the 4th Circuit Court in Case citing Laremont-Lopez v. Southeastern Tidewater Opportunity Center, 968 F. Supp. 1075 (E.D. Va. 1997) and the 10th Circuit Court in Johnson V. Board of Country County Commissioners Reported by the Research of the Hon. Charles F. Luce Jr.

34. Respondent and Said Indispensable Parties. Producing Very Cruel and Usual Treatment upon a Pro' se Litigant, giving this Unit States Supreme Court the Judiciary powers to, Over turn the Lower Court Judgments Under Federal Rule of Civil Procedure 52(a). By causing unnecessary suffering, and causing unjust injuries under Article III.

No Relief being denied Change of Venue

35. The Petitioner is without adequate remedy at Law because Linda Batchelor Smith and said Indispensable Parties from the Phoebus section of Hampton Virginia involved themselves in a Wheel of Ghost Writing conspiracy by violating the Historical Constitutions of Virginia and the United States.

36. Both Constitutions protects all classes of people, from Compacts of Citizens who wants to void their Constructional Right's which has been violated by said conspirators.

37. The Hampton Circuit Court Clerk's Discrimination and Unethical Conduct goes outside the Powers invested in her by the People, in violations of Constitutional and Administration Law of Virginia and the Federal Rules of Civil Procedure, with the Lower Court denying the Petitioner a Change of Venue, with the Petitioner complaints and citing of Constitutional Violations in her Pleading and Motions before lower Court, continuously for many years.

38. Most importantly, with Said Respondent Linda Batchelor Smith not being a Certified Attorney , the Virginia States Bar can not address her Unethical Violations or Fraudulent Activities of misleading the Lower Court, Warrant the exercise of this court discretionary powers to settle the conflicts and important issues cited in said Writ to end said Constitutional Violation against classes of people because of their political beliefs in preserving our democratic in protections to all citizens,, Especially, Prose litigants.

39. This matter is in the Jurisdiction of the United States Supreme Court, an involves issues of fundamental public importance to preserve our growing Democracy , an needs the aid of this Court to settle these controversies, violations, and

serious issues cited this Writ of Mandamus, in order to avoid any continuing patterning suffered by Non-White Republicans, becoming injured by member of their own races, who shares a different political view, who finds themselves discriminated against by members of their own race, than benefit thereof.

40. Most Inprotantly, the Petitioner's Appellate Jurisdiction will benefit from necessary changes to protect all classed of peoples, by Virginia Law maker's providing the needed Legal Requirements of it Constitutional Officers, with Continued Ethical Training,, needed to governing Virginia Clerk of Court to Comply under Article III, To prohibit this type of Discrimination used against Pro'se Litigants, or classes of people who find themselves in a out-cased from their own races because of political indifference.

41. Especially, under actions involving the Wharton Rule by said Respondent, willfully involved in a wheel of conspiracy with said Indispensable Parties. With malicious disrespect to the Petitioner and her Infants suffering, by fraudulent activities of clerical misprision to mislead the Lower Court by Unconstitutional Violations, Can only be address by this court, because the Lower Court have denied the Petitioner a Change of

Venture, after many pleading of Unconstitutional Violations.

42. In the landmark decision in Marbury v Madison, the Former Chief Justice John Marshall of the United States, declared [the Constitution must always take precedence].

43. The Petitioner realizes in Marbury v. Madison, arise under the conflict of William Marbury Petitioning to have the United Supreme Court to compel one of Our Founding Father James Madison, the Secretary of States. To deliver his Commission brought about, the night before another Founding-Father, Thomas Jefferson became President of the United States, by the out going of another Founding-Father "President John Adams" in a Writ of Mandamus under Section 13 of the Judiciary Act passed by Congress.

44. Chief Justice John Marshall , Historical decision give this Supreme Court the Needed Powers to examine the actions of Executives and Administrative Arms of all Governments' Bodies of the United States, to ensure that all comply with the U. S. Constitution, especially All Court Systems under Article III.

45. By ardessing the Manifest Constitutionals Violations the Petitioner and her infants has suffered by the tenure of said Clerk of Court, by sending forth a Mandate to the Virginia

Supreme Court to bring forth an end to unconstitutional acts by a Constitutional Officer of the State of Virginia, and end all Criminal Actions, by enacting said Ghost Writing Conspiracy under a Corrupt Motive Doctrine, citing People V. Powell 68 N Y 881875.

46. Making Said Conspiracy apart of the Model Penal Code to prevent Fraud against the Court by a Wheel of Conspirators who benefits from the misuses of Contingency fees. Who motives are carried out by misleading the Court through Professional Intimidations of Judges, and plots to use the Clerk Office as a "Un--seen Hand " as a tool to Obstruction Justice against Pro'se litigants whom educate themselves of legal litigation, with-out the help of an Attorney, Will also safe guard the Rule of Law, and Equal Justice for all, citizens under Article III, making said Ghost Writing a Criminal offence with Civil Sanctions against all Officers of the Court, Participations,.

Last Case Facts

47. Linda Batchelor Smith becoming a Major Player in Ghost Writing Conspiracy to destroy Evidence of her office and describing the last Defendants Allied Broker's Inc. & John Pane as a Petition, and adding new case numbers with- out a Court

Order and removing said Case from the Court Docket, while in the Jurisdiction of the Virginia Supreme, after recciving the Petitioner's Notice of Appeal, November 10, 2005. which in a continues pattern, depriving the Petitioner and her infants of a Fair Appeal Process, proper Jurisdiction by Cruel and Usual Punishment to Continue discriminating against a Petitioner who already serves at a Disadvantage before the Bar. Shows a continuing patterning of fraudulent activity.

48. It will be Clear from the Evidence enclosed in this Writ before this Court, the Petitioners as Pro' se were deprived of equal protection of the laws, bringing forth that needed awareness of Linda Batchelor Smith a Black Democrat in the City of Hampton willfully Discriminated against the Petitioner, because she belong to a different "Political Class" and unconstitutionally Voided her Right's Under the Virginia & U. S. Constitution, while being a member of the same race, and a Major Player in Ghost Writing Conspiracy for many years. An act that is detrimental to the progress of Civil Right's.

49. Justice Sandra Day O'Connor of the United States Supreme Court Stated Quoted, [The Dream of a Nation in a society where race is irrelevant to personal opportunity would

be lost in a mosaic of shifting preferences base immeasurable claims of past wrongs.], citing Richmond v. J. A Corson Company 488 U. S.469 (1989).

50. The word "mosaic" used by Justice O'Connor addresses the classification of discrimination suffered by the Petitioner, found in this Writ of Mandamus and describes the private prejudice predicted in the dissenting opinion of Justice Harlan Citing Plessy V. Ferguson 163 U.S. 537 1896.

51. Justice Harlan Stated [Our Constitution is color-blind and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law].

52.. On August 30, 2005 the Lower Court denied all arguments and Motions [against] the Petitioner on first impression for the first time, and Continued the Motion Hearing to seek the truth of conflicting arguments before the Court, to search the records of the Clerk Office in support of the Petitioners proper filing fees and Motion to Reinstate defendants, before ruling on the Petition Motion to enter New Evidence and to have her New Evidence Verified in person by Structural engineer, whom disagreed with the Lower Court to appear in person, and Hired an Attorney, because his report

"speak for it self' of the Rotten conditions of the Petitioner Home, after Hurricane Isable in 2003.

53. Respondent Linda Batchelor Smith made this an insurmountable event of true fact finding by Obstructed of Justice of her Computer Systems, by undoing proper filing by her duty clerk, to match the Gear Owens Allied Broker, John Pane, Obstructive filling, by deleting Motion to Reinstate John Pane April 30, 2005 & Petitioner's filing fees she paid on May 6, 2005 in fear that Lower Court would not Grant the waiver Fees to Reinstate Defendant John Pane, back to case 97-36817.

54. Respondent Smith recreated to set of cases with 97-36817 & 97-36817-01 with resent activity, to mislead the Courts and deprive the Petitioner of her Civil Right's of fundamental fairness of Due Process, and Equal-Protection, and a fair Appeal Process.

55. From the Evidence enter before this Court in support of the Petitioner's Writ, shows the Clerk office continuously made her arguments Null and Void, before the Lower Court, without facts to support all Respondents activities in said Ghost Writing Conspiracy to undermine the Rule of Law, with the help of indispensable third party interference, such as Mitchell along

- with other third parties as stated in this Writ before the Court, and their involvement in theses cases which matured from 97-38617.

56. Black Republicans who live in very dominated Democrat areas, towns, all communities, city, work- places, and in all Black Communities are protected under the Ninth Adandmnet of the U.S Constitution and in the Appellant Jurisdiction of Virginia under Article I, Section 17 of the Virginia Constitution, with a strong foundation of Equal Justice under Law supported by the Bill of Right's which states, [The rights enumerated in this Bill of Rights shall not be construed to limit other rights of the people not therein expressed]. .

57. The Maladministration run by the Respondent Linda Batchelor Smith, had a- legal duty to perform it daily administrative duty according to the law which govern her office, must be corrected with the right information to the Petitioner's filing from August 10, 2000 along with the proper Attorney Representations for each defendant.

58. Especially for Allied Broker's Inc & John Pane, which have confused these complex cases for many years with out listing Respondent Cathy Gear Owens as Council of Record under Allied

Broker Inc., to support this Attorney and her clients augments denying Representation of Allied Broker Inc., before the lower Court, in the protection of her friends, whom involved themselves in her campaign, which used her position as Deputy Clerk to mislead the lower Court, Virginia Supreme Court & the U.S. Supreme Court, for many years with the late posting of the Petitioner Motion and Notice of Appeals

59. Most importantly these actions continued during her position as Clerk of Court to continue the deprivation of the Petitioner and her infants, because of her Political affiliation, becoming a major player by way of Ghost Writing and behind the scheme unbundling of legal service in bad faith.

Reason for Granting Writ of Mandamus

60. The Petitioner made many attempts over the years to bring attention to the Clerk office of theses abuse through many visits and letters to protect the Petitioner and her Infants under the Virginia Administration Act and Right's under Article I Section 3. Government instituted for common benefit: and Section 7. Laws should not be suspended: Virginia Constitution Along With Section 11. Due process of law; obligation of contracts; Taking of private property; prohibited

discrimination; jury trial in civil cases.

61. The Petitioner as Pro'se Writ before this Court is the only remedy to address Willful Discrimination towards Black Republican as cited in this Writ By Continuous Fraud against the Administration of Justice to Mislead the lower Court of Hampton Virginia by Ghostly Conspiracy against Classes of Citizens of the United States to suffer as a Minorities with-in their owner races because of the Political Affiliation as the Petitioner has in her Historical Town of Hampton Virginia, who suffer deprivation of Unconstitutional Acts. Being deprived of the Historical Virginia and United States Constitutions, and Laws passed by Congress and Laws Passed by the Virginia General Assembly as mention in this Writ of Mandamus before this Great Court of the United States which injures the Petitioner who already served as a Disadvantage.

62. To Assure all Citizens of the Historical Town of Hampton Virginia, to received Constitutionals Safe Guards to Life, Liberty and Happiness, Civil Right Protections, Due Process, to include all Classes of Citizens, all Litigants Constitutional Protection under the Constitution of the Untied States.

63. Most importantly, to abolish all fraudulent actions

under Federal Rule of Criminal Procedural part 42 Obstruction of Justice, by ending Civil Right's Violations against Black Republicans, and all classes of peoples protected under the 9th Amendment of the united States Constitutional .

64. Only this Court can bring back the Neighboring Principle, to unite all Citizens in the Petitioner's Historical Town of Hampton Virginia.

Conclusion

Therefore the Petitioner Writ of Mandamus should be granted.